T.D. INFORMAL MEMO: DO NOT MAIL THIS MEMO TO APPLICANT

Date:			23-Feb-06	APPL. S. N:	09755245				
To Examiner:			MOORE, Ian	Art Unit	2661				
From			Jefferson, Henry PARALEGAL SPCECIALIST	Return This Memo To: Cas Drop-Off Location	JEF-2D68				
SUBJECT	r: Decisio	n on Ter	minal Disclaimer(T.D.) filed:						
form para or have a	agraphs iony quest	dentified ions, ple	by this informal memo in your ase see me or the Special Progr	next Office action to notify applications in Examiner. THIS IS AN INFOR					
please in	itial, date	and reti	urn this memo to me. THANK Y	ου.					
$\overline{\mathbf{Y}}$	The T.D.	is PROP	ER and has been recorded (see	14.23).					
The T.D. is NOT PROPER and has not been accepted for the reason(s) checked below (see 14.24):									
		The TD fee of has not been submitted nor is there any authorization in the application file for the use of a deposit account							
		The T.D. does not satisfy Rule 321 in that the person who has signed the T.D. has not stated the extent of his/her interest (and/or the extent of the interest of the business entity represented by the signature) in the application/patent (see 14.26 & 14.26.01).							
		The T.D. lacks the enforceable only during common ownership clause – needed to overcome a non-statutory double patenting rejection, Rule 321(b) (see 14.27.01).							
		The T.D. is directed to a particular claim(s), which is not acceptable since "the disclaimer must be for a terminal portion of the term of the entire patent to be granted" (MPEP 1490) (see 14.26 & 14.26.02).							
		The person who signed the T.D.:							
		is not an attorney "of record" (see 14.29 and 14.29.01). has failed to state his/her capacity to sign for the business entity (see 14.28).							
			is not recognized as an office	r of the assignee (see 14.29 & pos	sible 14.29.02).				
		No documentary evidence of a chain of title from the original inventor(s) to assignee has been submitted, nor is the reel and frame number specified as to where such evidence is recorded in the Office (see 37 CFR 3.73(b) and 1140 O.G. 72). NOTE: This documentary evidence or the specifying of the reel and frame number may be found in the T.D. or in a separate paper of record in the application (see 14.30).							
		The T.D. is not signed (see 14.26 & 14.26.03).							
		The serial number of the application (or the number of the patent) which forms the basis for the double patenting rejection is missing or incorrect (see 14.32).							
		The serial number of this application (or the number of the patent in reexam or reissue cases being disclaimed is missing or incorrect (see 14.26, 14.27.02 or 14.26.05).							
		The period disclaimed is incorrect or not specified (see 14.26, 14.27.02 or 14.26.03).							
		Other:			<u>a</u>				
			tion to request refund (see 14.3 not check this item.	36). NOTE: If already authorized, o	redit refund to deposit account				
I have ap	propriate	ely notifie	ed applicant(s) of the status of	the Terminal Disclaimer filed in th	s case.				
Ex.Initial	s:		Date:		Log Date:				

Application Number	Application/Control No.		Applicant(s)/Patent under Reexamination LING ET AL.				
Document Code - DISQ	Internal Doo		ocument – DC	cument - DO NOT MAIL			
TERMINAL DISCLAIMER	☑ APPROVED		☐ DISAPP	☐ DISAPPROVED			
Date Filed : November 21, 2005	This patent is subject to a Terminal Disclaimer						
Approved/Disapproved by:							
Approved/Disapproved by:							
Henry D. Jefferson							

U.S. Patent and Trademark Office

Attorney Docket No. 000441 PATENT

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	IN THE UNITED STATES	PATENT AND	TRADEMARK OFFICE	CENTRAL FAX CENT
In Re	Application of tal.) For:)))	Method And Apparatus For Determining The Forward L Closed Loop Power Control Point In A Wireless Packet I Communication System	ink Set
Serial	No. 09/755,245) Examiner:	Ian N. Moore	
Filed:	January 5, 2001) Group No.:	2661	
TER	MINAL DISCLAIMER TO O	BVIATE A DOU ER 37 CFR §1.32	BLE PATENTING REJECTI I(c)	ON
Commis P.O. Bo Alexano	op Amendment ssioner for Patents x 1450 dria, VA 22313-1450 L. Roberta A. Young, am the attor OMM Incorporated, is located a			2121.
		DISCLAIMANT'		eal:
inventic	The extent of the interest in this i	invention that the c	lisclaimant owns is the whole o	r unis
	CERTIFICATE OF MA	AILING/TRANSMIS	SION (37 CFR 1.8(a))	
I hereby	certify that this correspondence is, on the	he date shown below, l	being: FACSIMILE	置 09755245
wit	visited with the United Smass Postal Servis sufficient postage as first class mail, in velope addressed to the Commissioner exits, P.O. Box 1450, Alexandria VA 22:50.	n an Trad for 313-	smitted by facsimile to the Patent lemark Office. r's Name: <u>Tram O. Le</u>	BDELRI 00000091 170026 097
Deposit	or's Name:	_	(type or print name)	25 E
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Terminal Disclaimer - Granted Patent. VER1.11/16/04)

PAGE 15/16 * RCVD AT 11/21/2005 7:29:13 PM [Eastern Standard Time] * SVR:USPTO-EFXRF-6/27 * DNIS:2738300 * CSID:+8586515400 * DURATION (mm-ss):03-46

DISCLAIMER

The terminal part of the statutory term of any patent granted on the above-identified application, which would extend beyond the expiration date of the full statutory term defined in 35 U.S.C. §154-156 and 173 of United States Patent No. 6,633,552 is hereby disclaimed, except as provided below, and it is agreed that any patent so granted on the above-identified application shall be enforceable only for, and during, such period that the legal title to said patent shall be the same as the legal title to United States Patent No. 6,633,552, this agreement to run with any patent granted on the above-identified application and to be binding upon the grantee, its successors or assigns.

In making the above disclaimer, disclaimant does not disclaim the terminal part of any patent granted on the above identified application that would extend to the expiration date of the full statutory term as defined in 35 U.S.C. § 154-156 and 173 of United States Patent No. 6,633,552, as presently shortened by any terminal disclaimer, in the event that it later: expires for failure to pay a maintenance fee, is held unenforceable, is found invalid by a court of competent jurisdiction, is statutorily disclaimed in whole or terminally disclaimed under 37 CFR § 1.321, has all claims canceled by a reexamination certificate, is reissued in any manner or are terminated prior to expiration of its full statutory term as presently shortened by any terminal disclaimer, except for the separation of legal title stated above.

The Commissioner is hereby authorized to charge payment of the Terminal Disclaimer Fee of \$130.00 under 37 CFR § 1.20(d) and any additional fees which may be required, or credit any overpayment, to Deposit Account No. 17 - 0026. A duplicate of this sheet is enclosed for charge purposes.

Respectfully submitted,

Dated: November 21, 2005

By: <u>Roberta A. Young & Reg. No. 53,818</u>
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